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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/594,060	09/25/2006	Kaoru Yokota	2006_1550A	8889
52349 7590 10/29/2007 WENDEROTH, LIND & PONACK L.L.P. 2033 K. STREET, NW SUITE 800 WASHINGTON, DC 20006			EXAMINER LABAZE, EDWYN	
			ART UNIT 2876	PAPER NUMBER
			MAIL DATE 10/29/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/594,060

Applicant(s)

YOKOTA ET AL.

Examiner

EDWYN LABAZE

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-15 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 12, 16 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/25/2006.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. Receipt is acknowledged of IDS 9/25/2006.
2. Claims 1-20 are presented for examination.
3. This application is a 371 of PCT/JP05/06326 filed on 03/31/2005.

Priority

4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

5. Claims 1-5, 7, 12, 14-17 are objected to because of the following informalities:

Re claim 1 (page 59; lines 8, 14, 23, 25): The limitation "operable to" has been held to perform a function that is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. *In re Hutchison*, 69 USPQ 138.

The applicant is respectfully requested to substitute "operable to" with "for".

Re claims: 4-5, 7, 12, and 14-17: Substitute "operable to" with "for".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-11, 13-15, and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Horiguchi et al. (U.S. 7,119,662).

Re claims 1-2, 14-15, and 18-20: Horiguchi et al. discloses service system, information processing system and interrogator, which includes:

- an electronic value storage unit storing the electronic value (col.16, lines 1-67);
- an acquisition unit {herein input/output part 2506} for acquiring the identification information {herein unique ID code on the IC chip 2402} which identifies the ticket from the ticket {herein also a certificate 1702, coupon, paper money; as shown in figs. # 17-19, 21-23} (col.16, lines 9-24; col.25, lines 26-67; col.19, lines 5-67; col.20, lines 1-30);
- a transmission unit {herein through the antenna for interrogation means} for transmitting an electronization request including the acquired identification information to the ticket management server {herein facility service 4202, 4214 as shown in fig. # 42} (see figs. # 34, 39; col.30, lines 36-67);

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- a value update unit for updating the electronic value stored in the electronic value storage unit, by adding an electronic value shown by the value information assigned to the ticket identified by the identification information (col.29, lines 30-67; col.31, lines 1-67).
- a status storage unit {herein through the change of status 3514 by determining whether the IC is registered and has been used} for storing the identification information and status information showing whether the ticket identified by the identification information has been electronized, in correspondence with each other (col.22, lines 64-67; col.23, lines 1-67; col.24, lines 1-27);
- a reception unit {herein through antenna 2502/2602 for sending and receiving} for receiving the electronization request from the terminal device (see figs. # 25-26);
- and a change unit for, when the status information corresponding to the identification information included in the electronization request shows that the ticket has not been electronized {herein means of determining that the IC chip is not registered}, changing the status information to show that the ticket has been electronized (col.24, lines 10-27; col.26, lines 35-67; col.27, lines 1-21), and;
- a judgment unit for judging whether the status information stored in the status storage unit {herein the IC chip} corresponding to the identification information {herein face value 1804 or information 1808} included in the electronization request shows that the ticket has been electronized (see fig. # 18; col.14, lines 35-67),

Re claim 3: Horiguchi et al. teaches a system and method, wherein the value update unit includes: a write judgment unit for judging whether the ticket identified by the acquired identification information is valid (col.13, lines 4-67; col.15, lines 42-56); a value acquisition

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unit operable to, when the ticket is judged as valid, acquire the electronic value shown by the value information assigned to the ticket (col.22, lines 55-67; col.23, lines 1-7); and a value update unit for updating the electronic value stored in the electronic value storage unit, by adding the acquired electronic value (col.13, lines 34-67).

Re claim 4: Horiguchi et al. discloses a system and method, wherein the write judgment unit includes a receiving unit for receiving electronization information showing whether the ticket identified by the identification information has been electronized {herein through the change of status 3514 by determining whether the IC is registered and has been used}, from the ticket management server; and a determination unit for, when the electronization information shows that the ticket has not been electronized, determining the ticket as valid (col.22, lines 64-67; col.23, lines 1-67; col.24, lines 1-27).

Re claim 5: Horiguchi et al. teaches a system and method, wherein the judgment information based on the identification information {herein ID code or a digital signature 1808, 1906, 2006, and 2306 printed on the coupon/certificate/ticket; as shown in figs. # 18-20 & 23} is stored on the ticket {herein certificate, coupon}, the write judgment unit includes a judgment information acquisition unit for acquiring the judgment information (col.17, lines 43-67; col.18, lines 1-45); and a determination unit for, when the identification information coincides {herein using a determination of soundness by comparing information stored on the IC chip with printed information on the certificate/coupon/ticket} with the judgment information, determining the ticket as valid (col.19, lines 14-46; col.21, lines 14-19).

Re claims 6, 11: Horiguchi et al. discloses a system and method, wherein the judgment information {herein digital signature 2006} is stored on the ticket in a bar code format, and the

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judgment information acquisition unit acquires the judgment information stored in the bar code format (col.15, lines 1-9).

Re claim 7: Horiguchi et al. teaches a system and method, wherein the value acquisition unit includes: a request unit {herein an inquiry from a facility to execute service received by an input/output 3604} for, when the ticket is judged as valid, requesting the ticket management server to notify the value information assigned to the ticket by transmitting a notification request including the identification information, and a response acquisition unit for receiving, as a response to the notification request, the value information from the ticket management server, and acquire the electronic value shown by the value information (col.23, lines 27-67; col.24, lines 1-67).

Re claim 8: Horiguchi et al. discloses a system and method, wherein the identification information includes the value information {herein face value 1804/1904} assigned to the ticket 1902, and the value acquisition unit, when the ticket is judged as valid, extracts the value information from the identification information, and acquires the electronic value shown by the value information (col.14, lines 35-65).

Re claims 9-10: Horiguchi et al. teaches a system and method, wherein the ticket includes a storage device storing the identification information which identifies the ticket {as shown in figs. # 17-22}, and the acquisition unit acquires the identification information stored on the storage device and, wherein the storage device is an IC tag 1002/1502 storing the identification information, and the acquisition unit acquires the identification information stored on the IC tag (col.10, lines 30-36; col.41-48).

Re claim 13: Horiguchi et al. discloses a system and method, the communication device {via an antenna 2602 using radio or contactless mode} includes the acquisition unit, the transmission unit, and the value update unit, and the storage medium includes the electronic value storage unit (col.29, lines 1-65; col.30, 13-18; col.32, lines 10-26).

Allowable Subject Matter

8. Claims 12 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claim 17 is allowed.

10. The following is a statement of reasons for the indication of allowable subject matter: although the prior art of record teaches means of determining whether the ticket/certificate has been registered and is valid, further teaches means of registering the IC chip, but taken alone or in combination with any other references, fails to teach:

Re claims 12 and 16: a balance judgment unit for judging whether the invalid value is no more than the electronic value stored in the electronic value storage unit and a subtraction unit for subtracting the invalid value from electronic value stored in the electronic value storage unit, an authorization transmission unit for, when the status information shows that the ticket has been electronized, transmitting authorization information showing authorization to validate the ticket to the terminal device, and a validation request receiving unit for receiving a ticket validation request including identification information of an invalid ticket from the terminal device.

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Re claim 17: the prior art of record further fails to teach a charging unit for, when the response shows that the money ticket is valid, charging the terminal device for an amount after subtracting the amount of the money ticket identified by the acquired the money ticket ID from the payment amount. These limitations in conjunction with other limitations in the claimed invention were not shown by the prior art of record.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Zaitzu (US 2005/0207378) teaches public wireless LAN connection servicing device and method.

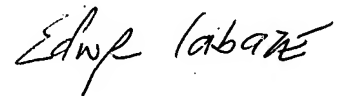
Kato (US 2006/0143036) discloses facility usage information processing apparatus, method for information processing thereof and portable terminal apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (571) 272-2395. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



el

Edwyn Labaze
Patent Examiner
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October 25, 2007